

**“Draft”**  
**MINUTES OF REGULAR MEETING**  
**OF THE**  
**COMFORT LAKE - FOREST LAKE**  
**WATERSHED DISTRICT**

**Thursday, January 24, 2013**

**1. Call to Order**

The President called the January 24, 2013 regular Board meeting to order at 6:30 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: President Richard Damchik, Vice President Jackie Anderson, and Manager Jon Spence

Absent: Wayne Moe

Others: Doug Thomas (CLFLWD), Lisa Tilman (EOR), Chuck Holtman (Smith Partners), Mark Lobermier (Wyoming), Andy Schilling (WCD), and Stephanie Souter (Washington Co.).

**2. Setting of Agenda**

The President called for the reading and approval of the January 24, 2013 Regular Board meeting agenda. President asked if there were any changes or additions. Administrator Thomas requested that an agenda item regarding LMC Liability Insurance Waiver Form be added as item i) under New Business. Motion to approve the agenda as amended was made by Manager Lynch and seconded by Manager Spence. Discussion. Upon vote, the motion passed.

**3. Reading and Approval of Minutes**

The President called for the reading and approval of the minutes of the December 20, 2012 Regular Board Meeting. Motion to approve the December 20, 2012 Regular Board meeting minutes was made by Manager Anderson and seconded by Manager Lynch. Discussion. Upon vote the motion passed.

**4. Public Open Forum**

Manager Damchik opened the floor to anyone in attendance wishing to comment on items that are not already scheduled to be discussed as part of the meeting agenda. Administrator Thomas introduced Stephanie Souter from the Washington County Public Health and Environmental Services office. Stephanie gave a few comments on her role with the County Groundwater Plan and the County Water Consortium.

**5. New Business**

a) Election of Officers

Manager Anderson moved to elect the current slate of officers for 2013. Motion was seconded by Manager Lynch. Discussion. Upon vote the motion passed

b) Designation of Official Newspapers & Banks

Manager Anderson moved to designate the Chisago County Press and the Forest Lake Times as the official newspapers of the District and Central Bank and the First State Bank of Wyoming as the official financial repositories of the District for 2103. Motion was seconded by Manager Spence. Discussion. Upon vote the motion passed.

c) 2013 Office Lease Renewal

Administrator Thomas noted his memo in the Board packet. He went over the proposed 2013 lease which includes an increase of \$71.00/year or a 3% increase on the base rent paid in 2012. He also noted that there is no increase in the technology portion of the lease for 2013. With the increase the total office lease cost for 2013 will be \$4,940.00.

Motion by Manager Spence to offer resolution 13-01-01 for adoption. Motion was seconded by Manager Anderson. Discussion. Upon vote the motion passed.

The President then called for a roll call vote on Resolution 13-01-01. There being 4 yes's and 0 no's the President declared the resolution adopted.

d) Washington Co. Consortium Workgroup – Regulatory White Paper

Administrator Thomas noted his memo in the Board packet along with the white paper and matrix. He gave an overview of the strategic work planning process that the Washington County Consortium had undertaken in 2011 and 2012 and that one of the priority work items was to look at the area of watershed organization rules and regulations and to determine if there were opportunities for achieving greater simplicity and uniformity in them. He then described the work group process that was used and went over the matrix and white paper that concluded their work and which was presented to the Washington Water Consortium at its November 2012 meeting. He noted that the Consortium is looking for feedback from the watershed management organizations in the county on which of the three implementation options, that were included in the white paper, they preferred. He then described the three options and noted how they range from being used to inform watershed organizations to the county developing a process to come up with formal recommendations that watershed management organizations would be expected to follow.

President asked if there were any comments and what the Managers wanted to do. Manager Lynch commented that he tended to like Option 2, which would result in further analysis and recommendations for achieving more uniformity without it being viewed as a mandate. Manager Spence questioned the idea of trying to achieve greater uniformity knowing how areas in the county can be quite different and did not think that further effort by the county in this area would be very effective. Manager Anderson commented that the information that has been developed is informative and that it can be used by watershed districts when they undertake revision to their rules, but did not see the need to try to bring greater uniformity at the county level since watershed rules are specific to their geography. She further stated that her least concern is how a developer or other economic interest may be affected by different requirements. She also commented that she appreciates the work that was done by the County and the perspectives they can bring to the table but favors Option 1 at this time.

Manager Anderson moved to direct Administrator Thomas to inform the Washington County Consortium that the District supports Option 1 as identified in the Stormwater Rules/Regulation Summary & White Paper, dated November 2012. Motion was seconded by Manager Spence. Discussion. Upon vote the motion passed.

e) Broadway Ave. Biofiltration Monitoring Work Order

Administrator Thomas noted his memo in the Board packet. He gave some additional background on the history of the enhancement of the planned biofiltration basin with an iron/sand filter during the permitting of the Broadway Avenue Reconstruction Project. He noted that the agreement that was reached was that the County and City agreed to adding the enhancement and that the District would perform up to three years of effectiveness monitoring. He then described the general tasks in the work order from EOR to install the necessary equipment and conduct the water quality sampling. He further noted that the UofM Saint Anthony Falls Hydraulic Lab has agreed to analyze the data as part of their ongoing work with iron enhanced sand filters.

Manager Anderson moved to approve the EOR work order “Broadway Avenue Stormwater Facility Monitoring” in the amount not to exceed \$18,406 and authorizes its execution by the Board President. Motion was seconded by Manager Spence. Discussion. Upon vote the motion passed.

f) CLFLWD Webmapper & BMP/Permit Tracker Phase 2 Work Order

Administrator Thomas noted his memo in the Board packet. He then gave an update on the status of Phase 1 of the project and then reviewed the deliverables for Phase 2 which includes 1) collection and deployment of additional data layers, 2) continued refinement of the permit tracker feature, and 3) testing of the system and support costs for 2013. Manager Anderson asked about the relation of Flatrock Geographics with the work. Administrator Thomas noted that Flatrock Geographics is a sub-contractor to EOR for this project. Manager Lynch commented on the value of being able to verify phosphorus reductions from our projects and permits.

Manager Spence moved to approve the EOR work order “CLFLWD Webmapper Phase 2” in the amount not to exceed \$9,944 and authorizes its execution by the Board President. Motion was seconded by Manager Lynch. Discussion. Upon vote the motion passed.

g) Mattson Funeral Home – Community Assistance Grant Inquiry

Administrator Thomas noted his memo in the Board packet. He explained that the purpose for this item is to confirm that the Board concurs with staff’s conclusion that the project falls under the District’s Community Based Cost-Share Program. He noted that he along with staff from the WCD have been working off and on over the past year with Mattson’s on concepts for how to treat runoff from the building/parking lot area as well as establishing a native shoreline planting/buffer. At this point he asked Andy Schilling from the WCD to give a quick overview of the water quality practices that are included in the concept design.

Manager Anderson asked if there was a question about this meeting the definition of a Community Based project or is there a problem with the guidelines/criteria. Administrator Thomas commented that no there was not a question but with the larger scope and cost of the project he wanted to make sure the Board was aware of it and had a chance to comment on it before moving ahead with a final design and application for funding. Manager Lynch asked what all of the small parcels that make up the property are zoned. Administrator Thomas commented that he did not know. Manager Anderson commented that the zoning is not as significant as compared to the current use and impact on the lake. She further commented that the point of the program is to be able to take care of these existing situations as they become available over time. This project with its size and location is an opportunity to set a good example is significant. Manager Lynch asked what the main reason was for bringing this up. Administrator Thomas commented about a previous project and the discussion that the Board had at that time on whether it qualified or not for

the Community Program and that his intent for this agenda item was to make sure the Board was informed of a potential larger project so that when the application comes in it has some knowledge of it and that there is no question about it qualifying under the Community Program. Manager Anderson asked if we need to clean up the criteria. Administrator Thomas indicated that he thinks the current criteria are fine. Manager Anderson commented that we should check to see if there is a local artist and/or school that would be willing to help design some signage for this site given its high visibility both from the land and the water.

It was the consensus of the Managers that the project as being proposed falls under the Community Based Cost-Share Program as suggested by staff.

#### h) 2013 Budget Adjustment – FL Direct & MLCCS

Administrator Thomas noted his memo in the Board packet. Purpose of this agenda item is to request Board approval to modify two line items in the District's 2013 adopted budget. The 2013 budget for the MLCCS project (605-4423) and the Forest Lake Direct Subwatershed Assessment (603-4421) were projected to not have any carryover in them as it was anticipated that the work would be done by the end of 2012. Due to a number of reasons both projects were not completed in 2012 and work will continue on them in 2013. Since the work was not completed in 2012 there is a need to carryover those unspent funds from the 2012 budget to the 2013 budget. Staff recommended that the Board, by motion, modify the 2013 budget to add back in carryover in the amount of \$6,000 for the MLCCS project (605-4423) and \$19,200 for the Forest Lake Direct Subwatershed Assessment (603-4421) and increase the amount of Undesignated Fund Balance used by in the 2013 Budget to \$25,200 to balance expenditures and revenues in the 2013 budget.

Manager Spence moved to modify the District's 2013 Budget by adding back in carryover from 2012 in the amount of \$6,000 for the MLCCS project (605-4423) and \$19,200 for the Forest Lake Direct Subwatershed Assessment project (603-4421) and increase the amount of Undesignated Fund Balance used by \$25,200 to \$290,537.

#### i) LMC Liability Insurance Waiver Form

Administrator Thomas noted that when our insurance policy was renewed the required liability insurance waiver form had not been provided to the District, which the policy requires be acted on by the Board. Staff requested the Board by motion and signature of the waiver form accept liability limit coverage of \$1,500,000 from the League of Minnesota Cities Insurance Trust and that it does not waive the monetary municipal tort claim liability limits set in statute.

Manager Anderson moved to authorize and submit the LMC Liability Insurance Waiver form to accept liability limit coverage of \$1,500,000 from the League of Minnesota Cities Insurance Trust and to not waive the monetary municipal tort claim liability limits set in statute. Motion was seconded by Manager Lynch. Discussion. Upon vote the motion passed.

## 6. Old Business

#### a) Forest Lake Direct Subwatershed Assessment Report – WCD

Administrator Thomas introduced Andy Schilling from the Washington Conservation District who has replaced Pete Young and will now be the main liaison between the WCD & District. Andy gave an update on the Forest Lake Direct Subwatershed Assessment project that the WCD has been working on for the District. The basics of the assessment are:

- Conduct a desk-top rapid broad-scale catchment prioritization
- Conduct field assessments to identify specific potential BMPs
- Develop a prioritized Implementation plan of feasible retrofit projects including a cost/benefit analysis

Andy concluded his presentation by going over the next steps in the process and that they expect completion of the final report by early summer.

b) City of FL/CLFLWD co-location update

Administrator Thomas provided an update on the potential for the District to lease space in the new Forest Lake City Hall/Municipal Complex. He noted that the MN Board of Water and Soil Resources has given its approval to locating the Districts' principal place of business outside the legal boundary of the District which was the first step required in the process. With the BWSR order he has informed the City of the Districts' desire to locate its office in the new complex so that they can take that into account as plans are being developed for the new building.

c) McCullough Sunrise River Project Land Offer – Closed Session

The President recessed the regular meeting at 7:35 pm to go into a closed session to discuss Bob McCullough's properties in the City of Forest Lake identified by Washington County with the PIN numbers of 0703221110001 & 0803221220001 for the purpose of discussing a possible offer. The President reconvened the regular meeting at 7:50 pm.

**8. Report of Staff**

Administrator Thomas noted his written report in the Board packet. He also gave an update on 1) MPCA CWP grant application period which is now open, 2) that he is working with the Carnelian Marine WD on a joint AIS workshop to be held on March 9<sup>th</sup> in Scandia at the Community Center, and 3) that we have a signed memorandum of understanding with Target Corporation and work will begin soon on developing the final plans for the project.

Emmons and Olivier Resources (EOR) – Handed out some educational material that EOR has been working on.

Smith Partners – Nothing new to report.

**9. Report of Treasurer**

Approval of Bills

Treasurer Lynch presented the Treasurer's Report (A copy of which is annexed and incorporated by reference) and bills and payroll totaling \$43,192.19

Motion was made by Manager Spence to approve the January 24, 2013 Treasurer's Report and pay the bills and payroll as presented. Manager Anderson seconded the motion. Discussion. Upon vote, the motion passed.

**10. Reports of Officers and Managers**

Manager Damchik – Nothing new to report

Manager Lynch – Manager Lynch pointed out and asked about the wording at the bottom of the lease reference page and that he thought that there was a word missing. Administrator Thomas and Attorney Holtman agreed that the word “lease” is missing and that the lease does in fact control since it is where it states the total amount that will be paid to the City for the 2013 lease. Administrator Thomas commented that he would work with the City Administrator to get the reference page corrected.

Manager Spence – commented on information that he had seen that implied that EPA is moving to make too much water a pollutant. Engineer Tilman provided some additional observations on this issue, which is related to water volume.

Manager Anderson – Informed the Board about her follow-up discussion with Mr. Ducharme and that he is still interested but needed more time to evaluate the offer. She also commented on plans for a carp spearing competition on Comfort Lake this coming year.

Manager Moe – Absent.

## **11. Adjournment**

Motion to adjourn the CLFLWD regular Board meeting at 8:05 pm was made by Manager Lynch and seconded by Manager Spence. Upon vote, the motion passed.

**Wayne S. Moe, Secretary** \_\_\_\_\_